

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

**UNITED STATES OF AMERICA,
PLAINTIFF,**

CASE NO. 2:00CR94-D

v.

**WILLIE DEWHART,
DEFENDANT.**

MOTION TO TRANSPORT DEWHART FOR PSYCHOLOGICAL EVALUATION

Comes now Willie Dewhart by and through undersigned Counsel and files this motion for a Court order directing the United States Marshal Service to transport Dewhart to Mobile for an independent psychological evaluation and in support thereof states the following:

1. Dewhart is presently in custody at the Montgomery City Jail awaiting trial on pending drug charges.
2. The undersigned filed a motion for a psychiatric evaluation and Dewhart has been evaluated at the Federal Medical Centers in Lexington, KY and Springfield, MO. Counsel contended that the findings are inconclusive and sought from this Court funds for Dewhart, now indigent, for purposes of an independent psychological evaluation.
3. This Court approved the funds for the psychological evaluation. The undersigned noted to the Court that the expert would be Dr. Daniel Koch, Clinical Psychologist, 2411 Old Shell Road, Mobile, Alabama 36607, telephone number 251-479-3019.
4. When counsel received the Court's order it revealed that the maximum funding available for Dr. Koch was statutorily limited to \$1,600. This is substantially less than Dr. Koch would charge for a normal evaluation but he has agreed to do so at the request of counsel.
5. Dr. Koch is extremely thorough and prefers to utilize psychological testing equipment that is kept in his office in Mobile which is not conducive for transport.
6. While Dr. Koch has agreed to do the evaluation on Dewhart, he is requesting that Dewhart be transported to his office for purposes of the all day testing. (Exhibit A) Given

Dewhart's long history of mental issues and the possibility of organic brain damage, it is imperative the Dr. Koch be able to use all of the available tools and equipment for completion of this evaluation.

7. Wherefore it is respectfully requested that the Court direct the United States Marshal Service to transport Dewhart to the Mobile Metro Jail where he can be held as a federal detainee and taken to Dr. Koch's office for a one day evaluation. Dewhart can then be returned to the Montgomery City Jail for holding until his case is disposed of.

Respectfully submitted,

s/Susan G. James
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CERTIFICATE OF SERVICE

I hereby certify that on August 21, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Tommie Hardwick
Assistant United States Attorney
P.O. Box 197
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Respectfully submitted,

s/Susan G. James
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